



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 35811

Art Unit : 3618  
Examiner : Kelly E. Campbell  
Serial No. : 10/613,669  
Filed : July 2, 2003  
Inventors : James P. Mulhern  
          : Charles J. Martis  
          : Gerald J. White, Jr.  
          : Kip D. Adler  
Title : REAR WHEEL DRIVE POWER  
      : WHEELCHAIR WITH  
      : GROUND-CONTACTING  
      : ANTI-TIP WHEELS

Docket No.: PMP-05-1337CIP

Confirmation No.: 7265

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, James P. Mulhern, hereby represent that I am Vice President, Research and Development for Pride Mobility Products Corporation, which is the owner of the entire interest in the above Application Serial No. 10/613,669 filed July 2, 2003 for James P. Mulhern, Charles J. Martis, Gerald J. White, Jr. and Kip D. Adler, as evidenced by an Assignment recorded at Reel 014283, Frame 0328 of the U.S Patent and Trademark Office records, and is also the owner of US Patent No. 6,938,923 issued September 6, 2005 for James P. Mulhern, Gerald J. White, Jr., Mark E. Smith and Charles J. Martis, as evidenced by an Assignment recorded at Reel 013502, Frame 0885 of the US Patent and Trademark Office records. I have reviewed the relevant documentary evidence and certify, to the best of my knowledge and belief, that title for the subject application and the identified patent is in the name of Pride Mobility Products Corporation.

Pride Mobility Products Corporation hereby disclaims, except as provided below, the terminal part of the statutory term of any patent to be granted on the identified application, which would extend beyond the expiration date of the full statutory term of US Patent No. 6,938,923, and agrees that any patent so granted on the identified application shall be enforceable only for and during such

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period that the legal title to the identified application shall be the same as the legal title to US Patent No. 6,938,923, this agreement to run with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

Pride Mobility Products Corporation does not disclaim any portion of the term of the patent granted on the identified application that is earlier than the expiration date presently shortened by this Terminal Disclaimer in the event that US Patent No. 6,938,923 earlier expires for other reasons, such as failure to pay a maintenance fee, invalidity or unenforceability, or is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), or has all claims canceled by a reexamination certificate, or is otherwise wholly or partially terminated prior to the expiration of its term. If any part of this paragraph should be held to render this Terminal Disclaimer ineffective, then that part shall be deemed to be of no effect.

I hereby declare that I am empowered to act on behalf of Pride Mobility Products Corporation in making this terminal disclaimer. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the identified application and any patent issued thereon.

Respectfully submitted,

Date: 7-5-06

By:   
James P. Mulhern